

1) ON-GOING CASES/ISSUES:

- On-going enforcement cases:

- **Capitol Region Water (CRW):** The Environmental Integrity Projects (EIP), on behalf of the Lower Susquehanna Riverkeeper Association, is seeking concurrence to intervene as a Plaintiff in the matter *U.S. et al v. Capital Region Water Case*. EPA has spoken to PADEP and CRW and they do not plan to concur with EIP's Motion to Intervene (MTI) as a plaintiff. EIP's motion states that since EPA found CRW's Long Term Control Plan (LTCP) deficient to control CSO overflows in July 2018 there has not been enough progress to develop a new plan. The plaintiffs and CRW have agreed to meet with EIP to discuss the progress to develop a new LTCP and an amended Consent Decree (CD). EIP conditioned its participation at a meeting with the parties to discuss proposed modifications to the partial CD in this matter on, among other things, the plaintiffs agreeing to enter into a common interest agreement with EIP and having a full seat at the negotiation table. **Ex. 5 Deliberative Process (DP)** EIP refused to meet with DOJ and EPA on April 28, 2021, unless its demands are met.

If EIP does file an MTI, the Court would make the decision as to whether to allow them to become co-plaintiffs. **Ex. 5 Deliberative Process (DP)**

coalition working to resolve compliance issues with CRW and the MTI is not timely given that EPA has made significant progress in amending the current CD. In November 2020, the plaintiffs

Ex. 5 Deliberative Process (DP)

Nonresponsive based on revised scope

- On-going issues:

Nonresponsive based on revised scope

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2) **HOT ISSUES (FOR BRIEFING CONSIDERATION):**

NA

3) **UPCOMING EXTERNAL MEETINGS:**

Nonresponsive based on revised scope

non-responsive based upon revised scope

non-responsive based upon revised scope